

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 10357 of 2015

Date of Decision: 21.5.2015

Krishan Singh and others

....Petitioners.

Versus

The State of Punjab and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MRS. JUSTICE REKHA MITTAL.**

PRESENT: Mr. S.S. Ranghi, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of Mandamus directing the respondents to make the payment of compensation for the land acquired for construction of embankments and widening of the river Ghaggar from Khanauri to village Karail (RD 58000 to RD 133443), Tehsil Moonak, District Sangrur.

2. The petitioners were owners of land measuring 35 kanal 16 marlas situated at village Khanauri Kalan, Tehsil Khanauri, District Sangrur. The respondents vide notification dated 20.11.2006 (Annexure P-2) issued under Section 4 of the Land Acquisition Act, 1894 acquired the land including some of the land of the petitioners for embankment of the Ghaggar River and to check the soil erosion. Thereafter, vide supplementary notification (Annexure P-4), 2.22 acres of land was also acquired by the respondents. Respondent No.3 vide letter dated

20.3.2009 (Annexure P-6) informed respondent No.2 that due to election code, the supplementary award could not be implemented. The land of the petitioners has been acquired and no compensation was made to them. The petitioners made various representations including representations dated 5.4.2011, 12.10.2013 and 14.1.2015 (Annexures P-7 to P-9, respectively) to respondents No.2 and 3 for the payment of compensation but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioners submitted that for the relief claimed in the writ petition, the petitioners have moved representations dated 5.4.2011 (Annexure P-7), dated 12.10.2013 (Annexure P-8) and dated 14.1.2015 (Annexure P-9) to respondents No.2, 3 and 5, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioners, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.3 to take a decision on the representations dated 5.4.2011 (Annexure P-7), dated 12.10.2013 (Annexure P-8) and dated 14.1.2015 (Annexure P-9), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of three months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

May 21, 2015
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(REKHA MITTAL)
JUDGE